

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THERMAL ENGINEERING)
INTERNATIONAL (USA) INC.,)
)
 Plaintiff,)
 v.) CIVIL ACTION
) NO. 21-10937-NMG
DARYL L. LANAVILLE,)
)
 Defendant.)

ORDER ON DEFENDANT'S MOTION TO COMPEL

This matter is before the court on “Defendant Daryl Lanaville’s Motion to Compel Discovery” (Docket No. 36). After consideration of the parties’ written submissions and their oral arguments, the motion is ALLOWED IN PART and DENIED IN PART as follows:

1. Babcock Power Inc. (“BPI”) shall identify, for each of its affiliates and subsidiaries, the state or country where each plant is located. Additionally, BPI shall provide the approximate number of employees (and, if possible, consultants and advisors), as in as much detail as the information is kept in the ordinary course of its business, who worked for each of its affiliates and subsidiaries during the relevant time period.
2. The plaintiff and BPI shall explain how they are defining the terms “consultant” and “advisor” and respond to the defendant’s discovery requests accordingly.
3. With respect to Thermal Engineering International (USA) Inc., to the extent it has not already done so, the plaintiff shall identify the location of each facility and the number of employees, consultants and advisors at each location. However, it does not have to identify these individuals by name.

4. The parties shall work together to try to reach agreement on whether the information required by this Order should be provided through documents, interrogatory responses or both. If the parties are unable to reach an agreement, they may present the dispute to the court.

/s / Judith Gail Dein

Judith Gail Dein

United States Magistrate Judge

Dated: May 11, 2022